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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-14 are pending in the application. Claims 5 and 6 have been objected to. Claims 1-4 and 7-14 have been rejected. Claims 1, 3, 8, 10 and 12 have been amended.

Claim 7 has been canceled without prejudice or disclaimer.

Applicants respectfully assert that the amendments to the claims add no new matter.

Allowable Subject Matter

In the Office Action, the Examiner stated that claims 5 and 6 would be allowable if rewritten in independent form, including all of the limitations of the base claims and any intervening claim.

Claim Objections

In the Office Action, the Examiner objected to claim 7 because of alleged informalities. Claim 7 has been previously cancelled making the rejection moot. Accordingly, Applicants request withdrawal of the objection.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent 4,122,852 to Knetsch et al., Applicants respectfully traverse this rejection in view of the remarks that follow.

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Knetch et al., discloses a protrusion “resilient clamping ring” (col. 2, lines 1-4). Knetch et al., does not teach or suggest “An acupressure ring for use on the outer finger, and comprising two or more rings,...” as recited in Applicants’ independent amended claim 1.

It is well established, that for a reference to anticipate a claim, the reference must teach all elements of the claim. Therefore, Knetsch et al., does not anticipate Applicants amended independent claim 1.

Claims 2-9 depend from, directly or indirectly from Applicants’ amended claim 1, and therefore include all the limitations of that claim. Therefore, Applicants respectfully assert that claims 2-9 are likewise allowable. Accordingly, Applicants request that the Examiner withdraw the rejections to amended independent claims 1 and to claims 2-9 dependent thereon.

In the Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent 6,835,174 to Yoo. Applicants respectfully traverse this rejection in view of the remarks that follow.

Yoo discloses only " a semi-circular base unit at an opposite end and having a flat outer surface and an inner surface formed with a plurality of protuberances, and at least one fixing strip at said semi-circular base unit" (col. 2, lines 21-22, emphasis added). Yoo does not teach or suggest “two or more rings having a visual indicator visible when the rings are worn,...” as recited in Applicants amended independent claim 1.

For a reference to be able to anticipate a claim, it must teach all elements of the claim. Since Yoo does not teach all the elements in Applicants amended claim 1, Yoo does not anticipate Applicants amended claim 1.

Claims 2-3 depend from, directly from claim 1, and therefore include all the limitations of that claim. Therefore, Applicants respectfully assert that claims 2-3 are likewise allowable. Accordingly, Applicants respectfully request the Examiner to withdraw the rejections to Applicants’ amended independent claims 1 and to claims 2-3 dependent thereon

In the Office Action, the examiner alleges that claims 10 and 12 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,636,531 (“the ‘531 patent”) to Miller.

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Specifically, the Examiner alleges that the '531 patent to Miller teaches an acupressure ring for use on the outer finger, and comprising a ring having a screw, the screw comprising a shank extending through the ring, the shank being attached at one end to a head portion and bearing a screw portion engaging with a corresponding screw extending through the ring; the shank has an enlarged portion at the end of the end remote from the head.

In response, Applicants amended claim 10, adding a limitation specifying a "shank extending through the ring, being approximately orthogonal to a visual indicator". Since the '531 Patent to miller does not teach or suggests a shank "being approximately orthogonal to a visual indicator", Miller does not anticipate claim 10 as amended.

Claim 12 depend from, directly from amended claim 10, and therefore include all the limitations of that claim. Therefore, Applicants respectfully assert that amended claim 12 is likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to amended independent claim 10 and to claim 12 dependent thereon.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1-14.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 8 and 9 under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent 4,122,852 to Knetsch et al., or U.S. Patent 6,835,174 to Yoo.

Applicants respectfully traverse the rejection of claims 8 and 9 because a prima facie case of obviousness has not been established.

U.S. Patent 4,122,852 to Knetsch et al., or U.S. Patent 6,835,174 to Yoo do not teach or suggest all the limitations of amended claim 1, from which claims 8 and 9 depend either directly or indirectly therefore, these references, either alone or in combination teach or suggest all the limitations of amended, dependent claims 8 and 9. U.S. Patent 4,122,852 to Knetsch et al., or U.S. Patent 6,835,174 to Yoo have been discussed above. That discussion is applicable here. Accordingly, Applicants respectfully assert that this rejection should be withdrawn.

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An obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (M.P.E.P. §2142). Since U.S. Patent 4,122,852 to Knetsch et al., or U.S. Patent 6,835,174 to Yoo, do not teach or suggest all the elements of independent amended claim 1, the Examiner fails to establish a prima facie showing that U.S. Patent No. 5,636,531 to Miller, teaches or suggests every feature of amended claim 8 and claim 9.

In the Office Action, the Examiner rejected claims 11, 13 and 14 under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,636,531 to Miller.

Applicants respectfully traverse the rejection of claims 11, 13 and 14 under U.S. Patent No. 5,636,531 to Miller.

Applicants respectfully traverse the rejection because a prima facie case of obviousness has not been established.

The U.S. Patent No. 5,636,531 to Miller does not teach or suggest all the limitations of amended claim 10, nor does it teach or suggest all the limitations of amended, dependent claims 11, 13 and 14. U.S. Patent No. 5,636,531 to Miller has been discussed above. That discussion is applicable here. Accordingly, Applicants respectfully assert that this rejection should be withdrawn.

An obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (M.P.E.P. §2142). Since U.S. Patent No. 5,636,531 to Miller, does not teach or suggest all the elements of independent amended claim 10 , the Examiner fails to establish a prima facie showing that U.S. Patent No. 5,636,531 to Miller, teaches or suggests every feature of amended claims 11, 13 and 14.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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